UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,018	03/13/2002	Christophe Nicolas	16673-8	4937

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EXAMINER
MANIWANG, JOSEPH R

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2144	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 June 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,3-10 and 12-20_ is/are pending in the application.
      4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1,3-10 and 12-20_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
         1.☐ Certified copies of the priority documents have been received.
         2.☐ Certified copies of the priority documents have been received in Application No. _____.
         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

06/02/08 has been entered.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

3.   Claims 1, 3-10, and 12-20 are rejected under 35 U.S.C. 102(b) as being

anticipated by Deiss (U.S. Pat. No. 5,802,063).

4.   Regarding claim 1, Deiss disclosed a method and system of transmitting a chain

of database management messages between a management center and a plurality of

distributed subscriber databases, wherein each management message member of this

chain comprises a chain header, a chain identifier (see column 2, line 55 through

column 3, line 6), comprising creating a conditional block for each management

message member of said chain, the conditional block indicating whether the

management message member associated with the conditional block is to be processed

without reference to all or part of other message members of the chain, and in the

negative event, effective for defining conditions linked to a previous processing of all or

part of other message members of the chain (see column 5, lines 11-63); adding said

conditional block to each of said respective management message members of said

chain (column 5, lines 44-46); transmitting the chain of database management message

between a management center and a plurality of distributed subscriber databases (see

column 1, lines 57-61); determining at a subscriber database whether processing of a

received message is subject to a condition in the corresponding conditional block

(column 7, line 30 through column 8, line 10); if the processing of the received message

is not subject to a condition, immediately processing said message (column 7, lines 4-

8); if the received message is subject to a condition, determining whether the condition

has been fulfilled (column 5, lines 1-31); if the condition has been fulfilled, immediately

processing said message (column 5, lines 1-31); if the condition has not fulfilled, locally

storing said message (column 5, lines 32-43).

5.   Regarding claim 3, Deiss disclosed the method and system further comprising

the steps of managing a table in the subscriber database containing an information

representing a processing state of each member of the chain (see column 8, lines 11-

20), updating said table every time that a member of the chain is processed (see

column 8, lines 11-20), and resetting said table either on request of the managing

center or after a predefined time (see column 8, lines 11-20).

6.   Regarding claim 4, Deiss disclosed the method and system wherein the subscriber database is connected to a subscriber unit and wherein it comprises the step of memorizing the management messages in a memory of the subscriber unit and of presenting them on request to the subscriber database (see column 3, line 66 through column 4, line 67).

7.   Regarding claim 5, Deiss disclosed the method and system further comprising the steps of memorizing incoming messages in series, each incoming message causing an increment of a stack pointer of incoming messages, and of allowing a direct access to the messages requested by the subscriber database (see column 4, lines 11-25; column 8, lines 11-20; column 9, lines 56-63).

8.   Regarding claim 6, Deiss disclosed the method and system wherein the memory of the subscriber unit is configured as a serial buffer memory having a fixed length (see column 4, lines 12-25; column 8, lines 11-20).

9.   Regarding claim 7, Deiss disclosed the method and system further comprising the steps of receiving in the subscriber database, a message member of a chain, and of allocating in the subscriber unit, the memory necessary for receiving all the members of this chain (see column 4, lines 11-25; column 8, lines 11-20; column 9, lines 56-63).

10.   Regarding claim 8, Deiss disclosed the method and system further comprising the steps of requesting the subscriber module to compose a management message describing its software and hardware resources and of sending said message either to the subscriber database or to the management center (see column 4, lines 42-67).

11.   Regarding claim 9, Deiss disclosed the method and system wherein the request

is transmitted, either by the management center under the form of a management

message, or by the subscriber database under the form of an instruction on an I/O line

(see column 4, lines 42-67).

12.   Independent claims 10, 16, and 18 as well as their dependent claims recite

substantially the invention of claims 1 and 3-9. Accordingly, these claims are rejected

under the same rationale detailed above.

Response to Arguments

13.   Applicant's arguments filed 06/02/08 have been fully considered but they are not

persuasive.

14.   Regarding claims 1, 3-10, and 12-20 rejected under 35 U.S.C. 102(b) as being

anticipated by Deiss, Applicant asserts that the reference does not teach "determining

at a subscriber database whether processing of a received message is subject to a

condition in the corresponding conditional block" and "if the processing of the received

message is not subject to a condition, immediately processing said message" as

claimed. To this point, Applicant argues that in Deiss, there is no determination as to

whether a message is subject to a condition, as each message is subject to a single

condition which is always the same. Examiner disagrees. Deiss clearly discloses

several conditions to which received data may be subject to. Deiss discloses

immediately processing data based on a condition (column 5, lines 1-31), inhibiting data

processing based on a condition (column 5, lines 32-43), and immediate processing of

data with no condition (column 7, lines 4-8). Deiss further disclosed determinination of

such conditions (column 7, line 30 through column 8, line 10). Applicant further asserts

that Deiss does not teach that each message comprises a conditional block. However,

Examiner submits that Deiss clearly discloses packets with conditional access

information (column 5, lines 44-46), which reads on the limitation as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph Maniwang whose telephone number is (571)

272-3928. The examiner can normally be reached on 8:00AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144